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09/994,678	11/28/2001	Mark W. Horobin	D/A1061	8461

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EXAMINER

BAKER, CHARLOTTE M

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,678

Applicant(s)

HOROBIN, MARK W.

Examiner

Charlotte M. Baker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-8 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,6-8 and 13-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 6-8 and 13-20 have been considered but are moot in view of the new ground(s) of rejection.
2. The objection to the drawings is hereby withdrawn.
3. Examiner respectfully points out that on p. 9 and p. 10 of the Remarks, reference is made to independent claim 9, but claim 9 has been cancelled.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 7-9, 13-14, 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chao (6,404,517) in view of Debes (5,504,696).

Regarding claim 1: Chao discloses feeding to the input scanner (Fig. 1A, scanner 18) an input sheet having a test pattern thereon (Fig. 2, image I, 68 and col. 6, ln. 44-46), the input sheet (Fig. 2, image I, 68) defining a first edge and a second edge opposite the first edge (Fig. 3), the test pattern defining a rule (Fig. 3) relative to each of the first edge and the second edge (see Fig. 3 and col. 8, ln. 14-47 and ln. 57-67), thereby recording test image data (col. 8, ln. 40-47); causing the printer (Fig. 2, printer 30) to output a copy based on the test image data (col. 9, ln. 1-5); derived from inspection of the rule (Fig. 3); associated with the first edge and the rule associated with the second edge of the copy (Fig. 3); and the printer adjusting **at least one** of a

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magnification attribute and a symmetry attribute of a subsequent copying operation on an output sheet (col. 8, ln. 49-53).

Chao fails to specifically address entering a reading or printing a new sheet as a result of entering that reading.

Debes discloses entering a reading (Fig. 1 and 3, user interface 14 and col. 5, ln. 41-49); printing as a result of the entering step (col. 5, ln. 41-49).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a user interface in order to input information as suggested by Debes (col. 1, ln. 5-16).

Regarding claim 7: Chao in view of Debes satisfy all the elements of claim 1.

Chao further discloses wherein the first edge is a side edge of the input sheet (Fig. 3, J, K, L, etc.).

Regarding claim 8: Chao in view of Debes satisfy all the elements of claim 1.

Chao further discloses wherein the first edge is one of a lead edge or a trail edge of the input sheet (Fig. 3 and col. 8, ln. 53-57 and ln. 40-47).

Regarding claim 13: Chao in view of Debes satisfy all the elements of claim 1.

Debes further discloses visually observing the readings on the copy (col. 5, ln. 41-49 and col.8, ln. 26-37 and ln. 41-46), and manually entering the reading through a user interface (col. 5, ln. 41-49 and col.8, ln. 26-37 and ln. 41-46).

Regarding claim 14: Chao in view of Debes satisfy all the elements of claim 1.

Chao further discloses feeding the copy into the scanner (Fig. 2, scanner 18), thereby recording image data relating to the copy (col. 6, ln. 46-48 and col. 8, ln. 40-47), a utility (image

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processing unit 14) associated with the scanner (Fig. 2, scanner 18) reading the image data relating to the copy (col. 6, ln. 46-48 and col. 8, ln. 40-47).

Regarding claim 16: Chao in view of Debes satisfy all the elements of claim 1.

Chao further discloses wherein each rule appears on a partially-reflective (optically contrasting, col. 8, ln. 9-13) area on the test pattern (Fig. 3).

Regarding claim 17: Chao discloses causing the printer (Fig. 2, printer 30) to print a test pattern on an output sheet (Fig. 2, image O, 68 and col. 7 ln. 66 through ln. 3), the output sheet (Fig. 2, image O, 68) defining a first edge and a second edge opposite the first edge (Fig. 3), the test pattern defining a rule (Fig. 3) relative to each edge (see Fig. 3 and col. 8, ln. 14-47 and ln. 57-67); derived from inspection of the rule (Fig. 3) of the rule associated with the first edge and the rule associated with the second edge of the output sheet (Fig. 3); the printer (Fig. 2, printer 30) adjusting **at least one** of a magnification attribute and a symmetry attribute of a subsequent printing operation (col. 8, ln. 49-53).

Chao fails to specifically address entering a reading or printing a new sheet as a result of entering that reading.

Debes discloses entering a reading (Fig. 1 and 3, user interface 14 and col. 5, ln. 41-49); printing as a result of the entering step (col. 5, ln. 41-49).

Regarding claim 18: Chao in view of Debes satisfy all the elements of claim 17.

Chao further discloses wherein the causing step includes setting at least one attribute of the printer (Fig. 2, printer 30) at a predetermined value (corrects or adjusts, col. 7, ln. 23-34 and ln. 39-47).

Regarding claim 19: Chao in view of Debes satisfy all the elements of claim 17. Arguments analogous to those stated in the rejection of claim 13 are applicable.

Regarding claim 20: Chao in view of Debes satisfy all the elements of claim 17. Chao further discloses feeding the output sheet (Fig. 2, image O, 68 and col. 7, ln. 66 through ln. 3) having the test pattern into a scanner (Fig. 2, scanner 18) associated with the printer (Fig. 2, printer 30), thereby recording image data relating to the test pattern (Fig. 3 and col. 7, ln. 66 through ln. 3).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chao in view of Debes as applied to claim 1 above, and further in view of Nakajima (7,006,246).

Regarding claim 6: Chao in view of Debes satisfy all the elements of claim 1.

Debes further discloses the reading (Fig. 1 and 3, user interface 14 and col. 5, ln. 41-49).

Chao in view of Debes fails to specifically address rules with numbers.

Nakajima discloses each rule having a set of numbers associated therewith (Fig. 6), and number related to the rule (Fig. 6).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include numbers on the rule in order to read the chart and generate correcting conditions based on the obtained data as suggested by Nakajima (col. 1, ln. 8-11).

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chao in view of Debes and further in view of Clifton (US2002/0080427A1).

Regarding claim 15: Chao in view of Debes satisfy all the elements of claim 14.

Chao discloses a scanner (Fig. 2, scanner 18).

Chao in view of Debes fail to specifically address optical character recognition.

Clifton discloses the utility including optical character recognition software (par. 2).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include optical character recognition software for Chao (scanner 18) to convert image data into text capable of being manipulated by a word processor.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CMB


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